IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 25TH JANUARY 2007 / 5TH MAGHA 1928

LA.App..No. 522 of 2006()

LAR.110/1997 of PRL.SUB COURT, KOZHIKODE
.....

APPELLANT: CLAIMANT

ABDURAHIMAN HAJI,
AGED 76 YEARS, S/O.MOIDU HAJI,
EDOLI CHAKITTAKANDI, THALAKULATHUR VILLAGE,
KOZHIKODE DISTRICT.

BY ADV. SRI.V.GIRI
SRI.JESWIN P.VARGHESE

RESPONDENTS: RESPONDENT

THE SPECIAL TAHSILDAR (LA)NH-II,
CIVIL STATION, KOZHIKODE,
R/BY ADVOCATE GENERAL, HIGH COURT OF KERALA,
ERNAKULAM.

BY GOVERNMENT PLEADER SRI.K.V.MANOJ KUMAR

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 25/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & A.K.BASHEER,JJ.

L.A.A.No.522 of 2006

Dated this the 25th day of January, 2007

JUDGMENT

Kurian Joseph,J.

This appeal is against the judgment and decree in L.A.R.No.110/1997 on the file of the Sub Court, Kozhikode. It is submitted that in connected matters this court has set aside the judgments and remitted the matter to the reference court for fresh consideration, in the judgment in L.A.A.No.1107/2000. For parity of reasons we allow this appeal, set aside the judgment and decree in L.A.R.No.110/1997 remit the matter to the reference court. It will be open to the parties to adduce fresh evidence.

Since the matter is remanded the appellant will be entitled to refund of the court fee.

(KURIAN JOSEPH, JUDGE)

(A.K.BASHEER, JUDGE)

ahg.